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ABSTRACT

This guide for parents of children with disabilities explains the basics of the special education process focusing on parent participation in the process of developing the child's individualized education program (IEP). The first section reviews the IEP process including what is involved, the IEP meeting, who attends the IEP meeting, the role of different team members in the IEP process, and what happens at the IEP meeting. The second section focuses on 10 components of the IEP document including: present levels of educational performance, annual goals and short-term objectives, services and supports, participation with nondisabled children, and transition services. The following section presents principles for deciding on the child's placement. The final section addresses the specifics of participating in the IEP meeting. It covers what to do before the meeting, what to do during the meeting, what to do if there is disagreement, signing the IEP, and what to do after the IEP meeting. Lists of suggested resources and publishers are attached. (Contains 24 references.) (DB)

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ED 473 541

Developing Your Child's IEP: A Parent's Guide

By
Theresa Rebhorn

October 2002

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NICHCY

PA12, October 2002

A Parent's Guide

Developing Your Child's IEP

A publication of the National Information Center for Children and Youth with Disabilities

by Theresa Rebhorn

Being a parent is the most wonderful—and hardest—job in the world. If you have a child with special needs, your job is no less wonderful, but it can be more complicated.

Your child's education is most likely an area of great interest to you. As a child with a disability, he or she may be eligible for special education services in school. If so, then it will be important for you to learn:

- more about special education,
- what special education can do for your child, and
- what part you can play in the special education process.

The good news is that there is a lot of information available for parents. This *Parent's Guide*[1] can help you begin to learn what you need to know. This guide explains the basics of the special education process and gives you information on how to be an effective partner with your child's school.

Thanks to a powerful and important federal law called the *Individuals with Disabilities Education Act*, or IDEA, children with disabilities are entitled to a "free appropriate public education" (often called FAPE).[2] This means that schools must provide eligible children who have a disability[3] with specially designed instruction to meet their unique needs at no cost to the child's parents. This specially designed instruction is known as special education.[4] The IDEA includes lots of information to help states design special education programs for children with disabilities.

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[1] "Parent" includes anyone who is legally responsible for the care and well-being of a child. This can be a guardian, grandparent, stepparent, surrogate parent, foster parent, or natural or adoptive parent. IDEA defines "parent" at 34 CFR §300.20.

[2] 34 CFR §300.13—Free appropriate public education.

[3] 34 CFR §300.7—Child with a disability.

[4] 34 CFR §300.26—Special education.

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The IDEA also includes regulations to protect the rights of parents and children.[5]

Getting to know the IDEA will be very useful to you, because it is the basis of your child's educational rights. NICHCY can help you learn about the IDEA. We have many publications that explain the IDEA's requirements. Some publications are short, others go into detail. All are available on our Web site—www.nichcy.org. You can also call us toll-free to request a copy of these publications.

It's also helpful for you to know the policies of your state and local school district. States must meet the minimum federal requirements of the IDEA, but they can also give students and parents *more* rights and services. Call or write your state department of education (or your local school district) and ask for a copy of your state (or local) special education regulations. There may also be a special education handbook or parent guide available from your state or local district.

One of the most important parts of the special education process is creating a plan for your child's education. This plan is called the *Individualized Education Program*, or the *IEP*. The IEP is the foundation for your child's education, and you are a very important member of the team that develops it. Your child's IEP lists the specific special education services your child will receive, based upon his or her individual needs. This is why it is so important that you understand and help develop your child's IEP.

We've packed a lot of information into this guide. If you've never helped to create an IEP before, this information may seem strange and overwhelming. It helps to think of the IEP both as a *process* and as a *document* to be written. Understand the process one step at a time—it has many parts. Learn the process of writing the document the same way. It, too, has many steps.

You will quickly become familiar with all the steps to writing an IEP. If your child continues to receive special education each year, you will soon become an IEP expert yourself!

§ Special Symbols in This Issue §

As you read this *Parent's Guide*, you may notice the easy reading style. While this style makes it easier to understand IDEA's IEP requirements, it prevents the verbatim use of the Federal regulations for IDEA. Therefore, we've included footnotes that refer to specific sections of the Federal regulations. An example is 34 CFR §300.347, which is the section of the IDEA that describes the "Content of IEP." You can use these references to find the precise sections of the Federal regulations that address the issue being discussed.

So, for example, if you wanted to read exactly what the IDEA says about the content of the IEP, you would look under Section 300.347 of the *Code of Federal Regulations* for Title 34 (sometimes referred to as 34 CFR). The symbol § stands for "section."

[5] 34 CFR §§300.500 - 300.577.

Appendix A to the IDEA says—

"The IEP meeting serves as a communication vehicle between parents and school personnel, and enables them, as equal participants, to make joint, informed decisions regarding—

- the child's needs and appropriate goals;
- the extent to which the child will be involved in the general curriculum and participate in the regular education environment and State and district-wide assessments; and
- the services needed to support that involvement and participation, and to achieve agreed-upon goals.

Parents are considered equal partners with school personnel [emphasis added] in making these decisions, and the IEP team must consider the parents' concerns and the information that they provide regarding their child . . ." [7]

What's involved in developing my child's IEP?

The process of developing your child's IEP involves two main things:

(1) the IEP *meeting(s)*, where you, your child (at times), and school staff members together decide on an educational program for your son or daughter; and

(2) the IEP *document*, which puts the decisions from that meeting in writing. Among other things, this document lists the services and supports your child will receive.

The whole IEP process is a way for you and the school to talk about your child's needs and to create a plan to meet those needs. Let's look at the process, starting with the IEP meeting.

The IEP meeting is somewhat formal. By law, certain people must attend. People sign in to show who is there. Lots of papers are looked at and passed around. People will talk about your child, his or her needs and strengths, and what type of educational program would be appropriate. And, little by little, blank spaces on the IEP form get filled in.

Sometimes it can be a real challenge for a parent to keep up with the discussion. It may be even harder to slow it down. But you should feel free to ask questions and offer suggestions. You will also want to feel comfortable that the team has spent enough time talking and planning before filling out the forms. Many parents say their first experience in an IEP meeting was a lot like Emily's mom's below.

Emily was three when we had our first IEP meeting. I didn't really know what an IEP meeting was. Someone told me what the initials meant and what we were supposed to do, but the

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[6] 34 CFR §§300.340 - 300.347—Individualized Education Programs.

[7] 34 CFR Appendix A to Part 300—Notice of Interpretation, II. Involvement of Parents and Students, question 9, 1st paragraph.

whole idea seemed so strange to me. Making an educational plan for a three-year-old? I was worried about potty training and getting Emily to sleep through the night and to stop crying all the time!

Anyway, when we had the meeting I met a lot of people whose names I couldn't keep in my head. A lot of pieces of paper got passed around. The teachers and therapists talked about what Emily needed to work on at school. Some of it sounded okay. Some of it, I just couldn't picture in my head. I spent most of the meeting nodding—like I understood—and agreeing with everything.

I've gotten better with each IEP...I don't just nod anymore!

I... speak up, share what I know about Emily, ask questions, and offer suggestions.

Emily's IEPs are a lot better now, because we all really work together.

Later, I realized that if I had visited a class, asked questions, and had someone explain what they were doing, I might have talked more and asked more questions at the meeting. And I don't think I would have felt so anxious sending Emily to school for the first time.

I've gotten better with each IEP, though. I don't just nod anymore! I know the school wants to do what's right, but they can't do it alone. I have to be there to speak up, share what I know about Emily, ask questions, and offer suggestions. Emily's IEPs are a lot better now, because we all really work together.

Where and when do IEP meetings take place?[8]

You and the school agree on where and when to have the IEP meeting. Usually, meetings are held at school during regular staff time. This means the meeting can happen before, during, or after the regular school day. By law, the school must tell you in writing:

- what the purpose of the meeting is,
- the time and place for the meeting,
- who will be there, and
- that you may invite other people who have knowledge or special expertise about your child to the meeting.

Also,

- The IEP must be done no more than 30 calendar days from the date your child is found eligible for special education services.
- You must agree to the program, in writing, before the school can carry out your child's *first* IEP.
- The IEP must be reviewed at least once every 12 months.

It may take more than one meeting to write a complete IEP. If you find more time is needed, ask the team to schedule another meeting.

You may ask for an IEP meeting at any time, if you feel that changes need to be made to your child's educational program. Some teams like to meet near the end of a grading period to talk about the student's progress and to make changes to the IEP, as needed.

Who attends the IEP meeting?

Under the IDEA, certain people (listed below) *must* be part of the IEP team.[9] It is important to note that there doesn't have to be a different person for every role. Often, one person can carry more than one responsibility on the team.

✓ **You, as Parent(s)**

✓ **School Administrator**—a member of the school district who knows about the general curriculum (the same curriculum taught to nondisabled children) and the

[8] 34 CFR §300.342, §300.343, and §300.345(b)(1)—When IEPs must be in effect; IEP meetings; and Parent participation, respectively.

[9] 34 CFR §300.344—IEP team.

resources available to the school. This person must also be qualified to provide special education services or supervise services.

✓ **General Education Teacher**—at least one general education teacher, if your child is (or may be) participating in the general education class.

✓ **Special Education Teacher**—at least one of your child's special education teachers or, if appropriate, at least one special education provider who works with your child.

✓ **Evaluation Personnel**—someone who knows—

- about your child's evaluation,
- what the evaluation results were, and
- what the results mean in terms of instruction.

This could be a school psychologist, an administrator, or one of your child's teachers.

✓ **Your Child**—If the IEP team will be talking about how to prepare your child for life after high school (called planning for transition services[10] or, simply, *transition planning*), your child *must* be invited to the meeting. Otherwise, deciding when and how your child will participate in the IEP meeting is a decision you and your child can make. Students are encouraged to take part in developing their own IEPs. Some students in elementary school come to the meeting just to learn a little about the process or to share information about themselves. As students get older, they take a more active role.

Other members of the team [11]

Besides the people listed above, you and the school can invite other people to the IEP meeting. This can include:

✓ **Therapists or other professionals** who work with your child.

✓ **Translators or interpreters**—If English is not your first language, or if you communicate by using sign language, the law says the school must provide an interpreter, if you ask for one.

✓ **Transition personnel**—If the IEP meeting will include planning for your child's life after high school, staff from outside agencies may be invited to attend. This is especially true if an outside agency may be responsible for providing or paying for transition services.

✓ **Others with knowledge or special expertise about your child** — Many parents find it helpful to have a support person at the IEP meeting. This may be another parent, a friend, an advocate, or a consultant. Others could include student friends, private specialists, tutors, educational consultants, or other school staff. Both you and the school have the right to invite such individuals to join the team.

If English is not your first language, or if you communicate by using sign language, the law says the school must provide an interpreter, if you ask for one.

What do different team members bring to the IEP process?

As you can see, there can be many people on an IEP team. While everyone shares in the discussion, you will find that each brings his or her own point of view and experience. Let's look at what each person might add to your child's IEP.

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[10] 34 CFR §300.29(a)(1)—Transition services. A coordinated set of activities for a student with a disability designed to promote movement from school to postschool activities, including postsecondary education, vocational training, integrated or supported employment, continuing and adult education, adult services, independent living or community participation.

[11] 34 CFR §300.344 (a)(6) and 300.344(b)—IEP team.

As a parent, you bring very important information to the IEP meeting. You know your child better than anyone....Your knowledge can steer the team toward creating an IEP that will work best for your child.

The Special Education Teacher

Your child's special education teacher is a specialist about disabilities. He or she understands how and when to use different teaching styles and instructional methods to meet your child's needs. Usually, the special education teacher—

- has been involved in your child's evaluation,
- understands the results, and
- can explain and interpret the results.

The special educator can talk about how lessons may need to be adapted or modified to help your child learn. He or she may also talk about the supports and supplementary aids your child may need to fully participate in learning and other school activities, such as assistive technology, an instructional assistant, or peer buddy. The special educator may take the lead in developing your child's goals and objectives, focusing on those areas where your child has special instructional needs. In many schools, the special educator also makes sure that all the people who help your child learn follow the plan written in the IEP.

The General Education Teacher

The general education teacher knows the curriculum for your child's grade level and what students in general education classes are typically expected to do. If your child is going to be educated in the general education classroom for any part of the school day, then the general education teacher will talk about what your child will be taught and expected to learn. He or she may also talk about any supports, changes, and services your child needs to be successful. These supports and services might include adapting the curriculum, providing lower reading level materials, using graphics in addition to written materials, or providing your child with a student assistant. The general education teacher may also tell the rest of the team what he or she needs to help your child understand the general curriculum and achieve the goals listed in the IEP.

The Parent(s)

As a parent, you bring very important information to the IEP meeting. You know your child better than anyone. You know his or her strengths and weaknesses and all the little differences that make your child unique. Your knowledge can steer the team toward creating an IEP that will work best for your child. You can tell the team what goals are most important to you and to your child. You should also share your concerns. You can give insights about your child's interests, likes and dislikes, and learning styles. By being an active IEP team member you can ensure that your child's IEP is developed with thought given to long-term needs for a successful adult life.

Your job at the IEP meeting is to:

- learn and understand the process,
- share information,
- ask questions,
- offer suggestions,
- keep the team's focus on "the big picture" and your child's long-term needs, and
- speak up on your child's behalf.

Being actively involved in your child's IEP is your choice. To help you participate, the school must make reasonable efforts to:

- schedule the IEP meeting so that you can come;
- provide an interpreter for you, if needed;
- inform you about the meeting; and
- inform you of your rights.

However, if you decide not to participate in writing your child's IEP, the school can hold the IEP meeting without you.

Your Child

When your child participates in the IEP meeting, it can have a powerful effect. Just having your child at the meeting can make the IEP process come more alive. Requests and suggestions that come directly from your child can carry more weight than when you voice them. Many parents are sometimes surprised when they hear their children speak about their disability, their educational desires, and their goals for the future. And sometimes teachers learn things about their students that they didn't know before.

Your child's role as an IEP team member, depending on age and ability, can be as broad as your own or limited to what you and he or she feel most comfortable with. When your child is part of the IEP process, the program can be much more worthwhile to him or her, instead of something to put up with. Taking part in IEP meetings also helps your child learn to speak up for him or herself and develop valuable self-advocacy skills.

The Administrator

The administrator at the IEP must know what resources the school has available. This person must also have the power to commit the resources needed so that services can be provided as outlined in your child's IEP.

What happens at the IEP meeting? [12]

At the IEP meeting the team will develop, review, and/or revise the IEP document. You and the other team members will work to create an IEP that is educationally appropriate and that everyone can agree on. Before meeting, school staff usually write down their ideas of what needs to be in your child's IEP. It's a good idea for you to jot down what is most important to you. You can share these ideas with other members of the team before the meeting, if you wish. You can also ask the school to send you their draft ideas, so you can look them over before meeting. Team members can also get copies of your child's recent tests or evaluations.

During the meeting, each person takes a turn in the discussion. Part of the discussion will include talking about:

1. Your child's strengths,

2. Your concerns,

3. The results of the most recent evaluation of your child,

4. The results of any general state or district-wide assessments (tests) your child has taken, and

5. Asking and answering the following questions that are sometimes referred to as *"special factors"*[13] or "special considerations."

- Does your child have communication needs?
- Does your child need assistive technology services and devices?[14]
- Does your child's behavior interfere with his or her learning or the learning of others?
- Does your child have a visual impairment and need instruction in or use of Braille?
- Is your child deaf or hard of hearing and have language and other communication needs?
- Does your child have language needs related to his or her IEP, because English is not his or her first language?[15]

If the answer to any of these questions is "yes," the team will talk about what your child needs and include this information in the IEP.

Usually, your child's primary teacher goes first. If your child is already receiving special education services, this will probably be the special education teacher. If the meeting is to write your child's *first* IEP, then this person may be the

[12] 34 CFR §300.346—Development, review, and revision of IEP.

[13] 34 CFR §300.346(a)(2)—Consideration of special factors.

[14] 34 CFR §§300.5 and 300.6—Assistive technology device; and Assistive technology service, respectively.

[15] 34 CFR §300.19—Native language.

general education teacher. The teacher begins with how your child is doing in school. He or she will describe your child's strengths and needs and how the disability affects your child throughout the school day. Then specialists, like a physical therapist or a speech therapist, will discuss how your child is doing in these areas. They will talk about your child's needs and how they plan to support your child's education. Goals and objectives, related services, and all of the required parts of the IEP will be talked about and decided on.

It's a good idea to share your ideas as the meeting goes along. Remember, as a parent, you are an equal member of the IEP team. You are an expert on your child. If you have questions or concerns, speak up. Ask for more information or an explanation if you need it. If you disagree with something you hear, respectfully say so. Explain why, or offer your point of view. The IEP meeting is a conversation and a dialogue. You and the other IEP team members are putting your heads together to design an effective program for your child. The main purpose of the meeting is to agree on each part of the IEP so that the document can be written and services can start.

II. The IEP Document [16]

What is in the IEP?

In each state or school district the IEP form can look different. Under the IDEA, the items below *must* be in *every* IEP. Each of these is discussed in detail below.

1. Your child's present levels of educational performance;

2. Annual goals and short-term objectives;

3. How your child's progress will be measured;

4. The specific special education, related services, and supplementary aids and services to be provided to or on behalf of your child, including program modifications or supports for school staff;

5. An explanation of the extent (if any) to which your child will *not* participate with nondisabled children;

6. Any modifications your child will need when taking state or district-wide assessments;

7. The dates when services will begin and end, the amount of services, as well as how often and where they will take place;

8. How you will be informed of your child's progress;

9. By age 14, a statement of your child's transition services needs, focusing on courses to be taken, and by age 16, a statement of your child's transition services needs, including the roles of other agencies;

10. Beginning at least one year before your child reaches the age of adulthood (18-21, depending on your state law), the IEP must include a statement that your child has been informed of any rights that will transfer to him or her upon reaching this age. Reaching the age of adulthood is called the "age of majority" in the IDEA.[17] Not all states transfer rights upon reaching

[16] 34 CFR §300.347—Content of IEP.

[17] 34 CFR §300.347(c) and §300.517—Content of IEP; and Transfer of parental rights at age of majority, respectively.

adulthood. Refer to your state's special education regulations to find out how this issue is handled.

Each one of the items above is discussed in detail during the meeting and is filled in on the IEP form. Let's take a closer look at each of these.

1

Present Levels of Educational Performance

This section of the IEP describes how your child is doing in school, based on current information. "Current" information usually means information no more than a year old. The *present levels of educational performance* statement (commonly called the "present level") should cover all areas of development where your child may need support. Some examples are:

- Academic skills—math, reading, writing
- Daily living or self-help skills—dressing, eating, using the bathroom
- Social skills—making friends
- Behavior
- Sensory skills—hearing, seeing
- Communication skills—talking
- Mobility—getting around in school and the community
- Vocational skills—working

Also included in the present level is information about how your child's disability affects his or her involvement in the general curriculum. (If your child is preschool age, the team will want to know how the disability affects his or her involvement in typical preschool activities and development.) In other words, you and the rest of the team will talk about the impact your child's disability has on his or her ability to learn and do the kinds of things that typical, nondisabled children learn and do. This information is then included in the IEP.

Where does the information for your child's present levels of performance come from? If your child is new to special education, this information will come from the tests and observations done during your child's evaluation for eligibility. If your child's IEP is being revised, the information may come from evaluations done during the year (by the school or from an *Independent Educational Evaluation* or *IEE*[18]). Teachers and others who work with your child may offer information gained during your child's day-to-day school routine. Information that you as a parent share can also be included in your child's present level.

The present levels of educational performance statement...should cover all areas of development where your child may need support. Also included in the present level is information about how your child's disability affects his or her involvement in the general curriculum.

A well-written present level will describe:

- your child's strengths and weaknesses,
- what helps your child learn,
- what limits or interferes with your child's learning,
- objective data from current evaluations of your child, and
- how your child's disability affects his or her ability to be involved and progress in the general curriculum.

[18] Sometimes parents pay for evaluations done by outside professionals and share them with the school. For information on an Independent Educational Evaluation (IEE) that the school system pays for, see 34 CFR §300.502 or contact NICHCY.

Below is an example from a well-written present level for a 5th grader with learning disabilities:

Objective Data from Evaluation: Results of standardized testing using the Woodcock-Johnson (WJ-R) show David's basic reading skills are at a beginning 4th grade level (standard score = 89). His basic writing skills are at a 3.7 grade level (standard score = 81).

Weakness: His performance in basic reading and writing is significantly below his ability. David makes errors when he reads and has difficulty decoding[19] long words, but his

Strength: comprehension skills are strong.

What helps learning: David uses context cues and picture cues to help him understand what he is reading. He

Strength: has a strong reading vocabulary.

Weakness: When writing, David frequently misspells words and uses incorrect punctuation. It is

Strength: much easier for David to express himself by speaking rather than by writing. He

What hinders learning: sometimes gets frustrated when writing and hurries through written work.

Often, present level statements include teacher observations as well as information from evaluations. This information can give a more complete picture of what helps your child learn and what limits your child's learning. For example:

- He needs a quiet, separate place to do individual work.
- She learns quickly when working in a small group.
- He understands and remembers what he hears about a subject. Learning by reading or looking at pictures is difficult and doesn't work as well for him.
- She imitates other children and learns from them.[20]

Here is another example of a statement that might be part of a present level.

> Elise is essentially non-verbal and uses many ways to communicate including: gestures, facial expression, eye gaze, vocalizations, word approximations, head nod for yes, head shake for no, and use of a Dynavox 3100 augmentative communication device which she accesses with a head switch.

In short, the present levels of educational performance statement tells how your child is doing in school and names those areas where he or she is having difficulty. A clearly written and thorough present level is *really important,* because it is the foundation for all of the IEP. Goals and objectives are written based upon your child's present level. Special education and related services are provided based upon your child's present level and the goals and objectives that result from that present level. So take your time in writing the present level; be thorough. The information you include there will be the stepping stone to writing the rest of the IEP.

[19] Decoding means breaking apart, sounding out, figuring out.

[20] Adapted from Anderson, W., Chitwood, S., & Hayden, D. (1997). *Negotiating the special education maze: A guide for parents and teachers* (p. 78). Bethesda, MD: Woodbine House.

2.

Annual Goals and Short-term Objectives

Once your child's needs are identified, the IEP team works to develop appropriate goals and objectives to address those needs. An *annual goal* describes what your child can be expected to do within a 12-month period. A *short-term objective* is a step that will help your child reach that goal. Put another way, an annual goal is similar to your destination on a trip, and the short-term objective is the road you will take to get there. The annual goals and short-term objectives section of the IEP builds upon the present levels of educational performance. The present level identifies what your child needs. The goals and objectives should be written to address those needs.

Writing goals and objectives can be one of the hardest parts of the IEP. One reason for this is because goals and objectives can cover so many different areas. Depending upon your child's needs, some goals and objectives may target areas of the general curriculum. Other goals and objectives may target learning that comes from a special education or individualized curriculum. Examples of these could include teaching your child how to eat independently, to use public transportation, or to read Braille. Another area for goals and objectives may be your child's social or emotional needs. These don't come under a typical "academic" curriculum. But if your child has social or emotional needs, then goals and objectives to meet these needs would be written into the IEP.

A well-written goal should be (a) positive, and (b) describe a skill that can be seen and measured. It answers the questions:

"**Who?**. . . will achieve?

What?. . . skill or behavior?

How?. . . in what manner or at what level?

Where?. . . in what setting or under what conditions?

When?. . . by what time? an ending date?" [21]

The box below shows an example of an annual goal with short-term objectives for David, whose present level of educational performance is on page 10. The IEP team developed David's reading goal and objectives by looking at the information in

An Example of an Annual Goal and Short-term Objectives

Annual Goal

David will achieve a reading score at the 5th grade level or above, as measured by the Qualitative Reading Inventory (QRI).

Short-term Objectives

1. Given a list of 20 unfamiliar words that contain short-vowel sounds, David will decode them with 90% accuracy on each of 5 trials.

2. Given a list of 20 unfamiliar words that contain long-vowel sounds, David will decode them with 90% accuracy on each of 5 trials.

3. David will correctly pronounce 20 words with 90% accuracy on each of 5 trials to demonstrate understanding of the rule that where one vowel follows another, the first vowel is pronounced with a long sound and the second vowel is silent (ordeal, coast).

4. David will correctly separate 20 words by syllables with 90% accuracy on each of 5 trials to demonstrate understanding of the rule that each syllable in a word must contain a vowel (les-son).

5. David will demonstrate understanding of the meaning of new words by answering comprehension questions on weekly teacher-made vocabulary tests with 90% accuracy.

[21] Anderson, W., Chitwood, S., & Hayden, D. (1997). *Negotiating the special education maze: A guide for parents and teachers* (p. 79). Bethesda, MD: Woodbine House.

his present level. Then they determined the skills that David needs to learn in order for him to be able to read at a 5th grade level.

3

Measuring Your Child's Progress

Effective goals and objectives are critical parts of your child's IEP. Keeping track of your child's progress is just as important. How will you and the school know if your child is making enough progress to reach a goal by the end of the year? How will the IEP team know when your child has met an objective? This information must be included in the IEP. The IEP team must decide:

- *how* your child's progress will be measured,
- *when* your child's progress will be measured,
- *how well* your child needs to perform in order to achieve the objective, and
- *how* you will be regularly informed of your child's progress.

Often, information on how well your child must perform and how his or her progress will be measured is included within the short-term objective statements. For example, in David's first objective above, the phrase "with 90% accuracy on each of 5 trials" says how well David must perform to meet the objective. This type of information is called *evaluation criteria*. It tells how the student will be evaluated.

How will the IEP team know when your child has met an objective?

This information must be included in the IEP.

Well-written evaluation criteria are stated in objective, measurable terms. Often, this progress is measured by numbers or scores, as is shown with David's objectives (. . . with 90% accuracy). As written, for objectives 1 and 2, if David correctly decodes 18 out of 20 words in each of 5 trials, he will have achieved those objectives. He is not required to decode all the words with 100% accuracy.

Another way the IEP team could further define how David's progress will be measured is by setting target dates within individual objectives. For example:

> Given a list of 20 unfamiliar words that contain short-vowel sounds, David will decode them with
>
> • 60% accuracy by December 1,
>
> • 75% accuracy by March 1, and
>
> • 90% accuracy by June 15.

In other instances, progress is not measured in number scores:

> By June 15, Vicky will complete the obstacle course unassisted, as documented by the adapted physical education teacher.

In this example, the teacher will observe and take notes while Vicky completes the obstacle course. Teacher observation/notes are one way of checking progress. Other ways of checking progress may include:

- reviewing class work and homework assignments;
- giving quizzes, tests, or teacher-made assessments; and
- giving informal and/or formal assessments (the QRI or Woodcock-Johnson, for example).

4.

Services and Supports [22]

Under the IDEA, there are a variety of services and supports available that your child may need as part of his or her free appropriate public education. These services and supports include:

A. Special education,

B. Related services,

C. Supplementary aids and services, and

D. Program modifications or supports for school staff.

All of these services and supports are designed to help your child:

- reach his or her annual goals,
- be involved and progress in the general curriculum,
- participate in extracurricular activities (like after school clubs or sports) or other nonacademic activities[23] (like recreation activities, athletics, or employment), and
- be educated and participate with nondisabled children in these kinds of activities.

Let's take a look at what these services and supports involve.

A. Special Education

As we said earlier, special education is instruction that is specially designed to meet the unique needs of a child with a disability. In the case of your child, this means education that is individually developed to address your child's needs that result from his or her disability. Since each child is unique, it is difficult to give an overall example of special education. It is individualized for each child. One way to understand special education is to compare it to a typical general education class.

In a typical general education class you may have 25 to 30 students, about the same age and performing at about the same level (usually within two years of each other). So, a typical 3rd grade class may have children as young as 7 and as old as 9. A few children may be performing below grade level, and a few may be performing above grade level, but most will be at the 3rd grade level. All of these students receive instruction based upon a typical 3rd grade curriculum.

Under the IDEA, there are a variety of services and supports available that your child may need as part of his or her free appropriate public education.

In a special education class of 7 to 9 year-olds, there may be 8 to 10 students, each with an IEP tailored to meet his or her individual needs. Of these students, there may be a wide variety of levels and skills. Some students may be working at the pre-kindergarten grade level, others at the first, second, or third grade level. There may be students whose special education focuses primarily on speech and language development, cognitive development, or needs related to a physical or learning disability. Special education for any student can consist of:

- an individualized curriculum that is *different* from that of same-age, nondisabled peers (for example, teaching a blind student to read and write using Braille);
- the *same* (general) curriculum as that for nondisabled peers, with adaptations or modifications made for the student (for example, teaching 3rd grade math but including the use of counting tools and assistive technology for the student); and
- a combination of these elements.

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[22] 34 CFR §300.347(a)(3)(i) - (iii)—Content of IEP.

[23] 34 CFR §300.306—Nonacademic services.

It is also important to remember that the education, services, and supports outlined in your child's IEP do not necessarily cover your child's *entire* education. The IEP only addresses those educational needs resulting from your child's disability. If your child needs special education support throughout the school day, for all activities, the IEP will cover all these needs. If your child doesn't need special education support in one or more areas (for example, physical education, music, or science), then the IEP will not include these subjects. Your child will access them through the general curriculum/class, with no additional special education services.

B. Related Services [24]

To help your child benefit from special education, he or she may also need extra help in one area or another, such as speaking or moving. This additional help is called *related services*. Many of these services are listed in the box below.

It is the IEP team's responsibility to review all of the evaluation information, to identify any related services your child needs, and to include them in the IEP. Typically, schools have staff who provide related services (such as speech therapists or occupational therapists) to meet the needs of their students. But if a related service is not available from the school, the school can contract with a private provider, a public agency, or even another school district to provide the service. Your school district is responsible for making sure all services listed in your child's IEP are provided, even if the district does not directly provide these services.

Goals and objectives are written for a related service just as they are for other special education services. The box on the next page shows an example for Elise for speech therapy services (also called speech-language pathology services).

Note that, just as with the goals and objectives written for special education services, the goals and objectives for related services need to include information on how progress will be measured. Elise's IEP team chose to include this information in the annual goal statement. The phrase "in 3 out of 5 trials with no more than 50% teacher prompts or cues" spells out how Elise's progress will be measured.

C. Supplementary Aids and Services [26]

This part of the IEP focuses on the other kinds of supports or services (other than special education and related services) that your child needs to be educated with nondisabled children to the maximum extent appropriate. Some examples of these additional services and supports are:

- adapted equipment—such as a pencil grip, special seat, or cut-out cup for drinking;
- assistive technology—such as a word processor, special software or a communication system;

Related Services

Related services can include, but are not limited to, any of the following:

- Assistive Technology[25]
- Audiology
- Counseling Services
- Early Identification
- Medical Services
- Occupational Therapy
- Orientation and Mobility Services
- Parent Counseling/Training
- Physical Therapy
- Psychological Services
- Recreation
- Rehabilitation Counseling
- School Health Services
- Social Work Services in Schools
- Speech-Language Pathology
- Transportation

[24] 34 CFR §300.24—Related services; and Appendix A to Part 300—Notice of Interpretation, Questions 30, 33, 34, and 35.

[25] 34 CFR §300.308—Assistive technology.

[26] 34 CFR §300.28—Supplementary aids and services.

- training for staff, student, and/or parents;
- peer tutors;
- a one-on-one aide;
- adapted materials—such as books on tape, large print, or highlighted notes, and
- collaboration/consultation among staff, parents, and/or other professionals.

The IEP team must really work together to make sure your child gets the supplementary aids and services that he or she needs to be successful. Team members should talk about your child's needs, the curriculum, and school routine, and openly explore all options to make sure the right supports for your child are included.

D. Program Modifications or Supports for School Staff

If the IEP team decides that your child needs a particular *modification* or *accommodation*, this information must be included in the IEP. (More is said about this in #6, see page 16.) Supports are also available for those who work with your child, to help them help your child be successful. Supports for school staff must also be written into the IEP. Some of these supports might include:

- attending a conference or training related to your child's needs,
- getting help from another staff member or administrative person,
- having an aide in the classroom, or
- getting special equipment or teaching materials.

An Example of an Annual Goal and Short-term Objectives Written for a Related Service

Area of Need: Oral Communication

Related Service: Speech Therapy

Annual Goal

Elise will use her augmentative communication device to produce a thought, comment, or idea in 3 out of 5 trials with no more than 50% teacher prompts or cues.

Short-term Objectives

1. Elise will use her device to communicate 40+ times per day.

2. Elise will combine letter-by-letter spelling, word prediction, and preprogrammed phrases to produce a complete seven-word statement.

3. Elise will combine letter-by-letter spelling, word prediction, and preprogrammed phrases to answer at least one "wh" question (who, what, when, where, why, how) in class discussions.

5

Participation with Nondisabled Children

The IDEA says that each IEP must include:

> "...an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class . . . "[27]

As we said earlier in this publication, the IDEA *strongly* prefers that children with disabilities be educated in the general education class with nondisabled children. In order to support your child in this setting, the IEP team considers what your child needs in terms of:

- accommodations,
- modifications,
- supports, and
- supplementary aids and services.

[27] 34 CFR §300.347(a)(4)—Content of IEP.

Even a child with many needs should be involved with nondisabled peers to the maximum extent appropriate. Just because a child has severe disabilities or needs modifications to the general curriculum does not mean that he or she should be removed from the general education class.[28] If your child is removed from the general education class for any part of the school day, the IEP team must include an explanation in the IEP.

6

Modifications for Your Child

Sometimes a student may need to have changes made in class work or routines because of his or her disability. Modifications can be made to:

- *what* a child is taught, and/or
- *how* a child works at school.

Sometimes people get confused about what it means to have a *modification* and what it means to have an *accommodation*. Usually a *modification* means *a change in what is being taught to or expected from the student*. Making an assignment easier so the student is not doing the same level of work as other students is an example of a modification. An *accommodation* is *a change that helps a student overcome or work around the disability*. Allowing a student who has trouble writing to give his answers orally is an example of an accommodation. This student is still expected to know the same material and answer the same questions as fully as the other students, but he doesn't have to write his answers to show that he knows the information. What is most important to know about modifications and accommodations is that both are meant to help a child to learn. For example:

Modifications or accommodations are most often made in...

- ✓ *scheduling...*
- ✓ *setting...*
- ✓ *materials...*
- ✓ *instruction...*
- ✓ *student response...*

Jack is an 8th grade student who has learning disabilities in reading and writing. He is in a regular 8th grade class that is team-taught by a general education teacher and a special education teacher. Modifications and accommodations provided for Jack's daily school routine (and when he takes state or district-wide tests) include the following:

1. Jack will have shorter reading and writing assignments.

2. Jack's textbooks will be based upon the 8th grade curriculum but at his independent reading level (4th grade).

3. Jack will have test questions read/explained to him, when he asks.

4. Jack will give his answers to essay-type questions by speaking, rather than writing them down.

Modifications or accommodations are most often made in the following areas:

Scheduling. For example,

- giving the student extra time to complete assignments or tests
- breaking up testing over several days

Setting. For example,

- working in a small group
- working one-on-one with the teacher

Materials. For example,

- providing audiotaped lectures or books
- giving copies of teacher's lecture notes
- using large print books, Braille, or books on CD (digital text).

[28] 34 CFR §300.552(e)—Placements.

Instruction. For example,

- reducing the difficulty of assignments
- reducing the reading level
- using a student/peer tutor

Student Response. For example,

- allowing answers to be given orally or dictated
- using a word processor for written work
- using sign language, a communication device, Braille, or native language if it is not English.

Modifications to State or District-Wide Assessments

The IDEA requires that students with disabilities take part in *state or district-wide assessments*.[29] These are tests that are periodically given to *all* students to measure achievement. It is one way that schools determine how well and how much students are learning. The IDEA now states that students with disabilities should have as much involvement in the general curriculum as possible. Therefore, more and more students with disabilities will be participating in these general assessments. This means that, if your child is receiving instruction in the general curriculum, he or she could take the same standardized test that the school district or state gives to nondisabled children. Your child's IEP must include all modifications or accommodations that your child needs so that he or she can participate in state or district-wide assessments.

The IEP team can decide that a particular test is not appropriate for your child. In this case, the IEP must include:

- an explanation of why that test is not suitable for your child, and
- how your child will be assessed instead (often called alternate assessment).[30]

Ask your state and/or local school district for a copy of its guidelines on the types of accommodations, modifications, and alternate assessments available to students.

The IDEA requires that students with disabilities take part in state or district-wide assessments.

Your child's IEP must include all modifications or accommodations that your child needs so that he or she can participate in [these] assessments.

7

Location and Duration of Services

Each of the services your child needs is written down in the IEP. The IEP must also say:

- how often your child will receive the service(s) (number of times per day or week),
- how long each "session" will last (number of minutes),
- where services will be provided (in the general education classroom or another setting such as a special education resource room), and
- when services will begin and end (starting and ending dates).[31]

The IEP team should also consider whether or not your child needs to receive services beyond the typical school year. This is called *Extended School Year* or *ESY* services.[32] Some children receiving special education services may be eligible for ESY services. Ask your state and local school district for a copy of its guidelines for determining eligibility for ESY. If you or your child's teachers feel your child needs

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[29] 34 CFR §300.138—Participation in assessments.

[30] 34 CFR §300.347(5)(ii)—Content of IEP.

[31] 34 CFR §300.347(6)—Content of IEP.

[32] 34 CFR §300.309—Extended school year services.

ESY services, it should be discussed during the IEP meeting.

8

Reporting Your Child's Progress

Under the IDEA, you must be informed of your child's progress on IEP goals at least as often as parents of nondisabled children are informed of their children's progress.[33] So, if typical students get regularly scheduled report cards, you should get IEP progress reports for your child, at least as often. In these progress reports look to see whether or not your child is making enough progress to reach his or her goals by the end of the year. If not, then you will want to talk to the IEP team about why enough progress is not being made and what should be done about it.

Under the IDEA, you must be informed of your child's progress on IEP goals at least as often as parents of nondisabled children are informed of their children's progress.

9

Transition Services [34]

As your child gets older, you will start to plan for the future. You, your child, and the rest of the IEP team will consider many questions. What will your child do after high school? Will he or she go to college or vocational school? Will he or she work in supported employment or get a competitive job? Will he or she live independently or continue to live at home? Will you need help from other agencies to carry out these plans?

By the time your child is 14 years old, the IEP must include plans to help him or her move on from high school to life as an adult in the community. This is called transition planning or *transition services*. You can begin making plans for transition services earlier than age 14, if the IEP team thinks that it is appropriate. At this age, transition planning focuses on your child's transition service needs such as his or her courses of study (for example, participation in advanced placement courses or in a vocational education program). At age 16 (or younger, if the IEP team feels it's appropriate), your child's IEP must include a statement of the services your child needs to prepare for life after high school, including any interagency responsibilities or needed linkages with outside agencies.

Transition planning is intended to help your child consider and prepare for post-secondary activities[35], including any of the following:

- postsecondary education (such as a 2- or 4-year college or business school);
- vocational training (to prepare for working in computers, auto mechanics, or hotels/restaurants, for example);
- integrated or supported employment (such as a sheltered workshop, a job coach, or Vocational Rehabilitation services);
- continuing and adult education (such as classes offered by your community Adult Education office or Department of Recreation);
- adult services (such as a day program, group home),
- independent living; and
- participating in the community.[36]

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[33] 34 CFR §300.347(a)(7)(ii)—Content of IEP.

[34] 34 CFR §300.29—Transition services.

[35] Those activities that will take place when your child is done with high school.

[36] 34 CFR §300.29(1)—Transition services.

Planning for transition is a very important area for the IEP team to consider. When the team is going to talk about transition, your child must be invited to the meeting. Services must be based on your child's needs, taking into account his or her preferences and interests. A lengthy discussion of transition planning is beyond the scope of this *Parent's Guide*. However, because it is so important, you will want to learn more about it. You will find more information on transition in the list of Resources at the end of this guide.

10

Age of Majority [37]

When a student with a disability reaches the age where one is considered to be an adult (called the *age of majority*), the state may transfer to the student all the educational rights that you, as parent, have had up to this point. Depending upon your state law, this usually happens when your child is between 18 and 21. Not all states transfer rights. But if your state does, then the rights and responsibilities that you have had for your child will belong to your child at the age of majority.

Beginning at least one year before your child reaches the age of majority, you and your child will receive written notice from the school telling you of the upcoming transfer of rights (if any). When this happens, the IEP will include a statement that you have received the notice and have been told about the transfer of rights.

There are some exceptions to this transfer of rights. For example, some children with disabilities may need to have a guardian appointed to make decisions for them. Other students may not have the ability to give informed consent[38] with regard to their education. Or your child may be fully capable of making these decisions but may still want your help in these matters. In all these cases, the state can establish a way for you to continue to represent your child's educational interests. You will need to check your local and state IDEA regulations to find out how this issue is handled.

When the [IEP] team is going to talk about transition, your child must be invited to the meeting.

Services must be based on your child's needs, taking into account his or her preferences and interests.

PLAN *For the Future*

[37] 34 CFR §300.347(c) and §300.517—Content of IEP; and Transfer of parental rights at age of majority, respectively.

[38] 34 CFR §300.500(b)(1)—Consent.

What is placement? How is my child's placement decided?

Once the IEP team has decided *what* services your child needs, a decision must be made about *where* services will be provided. Where your child's IEP is carried out is called *placement*. You as the parent have the right to be part of the group that decides your child's placement.

In deciding your child's placement, the group must make sure that your child has the maximum opportunity appropriate to learn with children who do not have disabilities—in academic, nonacademic, and extracurricular activities.[39] This part of the law is called *Least Restrictive Environment* or *LRE*.

You as the parent have the right to be part of the group that decides your child's placement.

Least Restrictive Environment is explained in the IDEA as follows:

> "... To the maximum extent appropriate, children with disabilities ... are educated with children who are nondisabled; and ... special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." [40]

IDEA also says:

- The child's placement is determined at least annually; is based on the child's IEP; and is as close as possible to the child's home.
- Unless the IEP requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.
- When looking at placement options, consideration must be given to any potential harmful effect on the child or on the quality of services that he or she needs.
- A child with a disability may not be removed from education in age-appropriate regular classrooms just because he or she needs modifications to the general curriculum.[41]

Often, the IEP team makes the placement decision. In some places, the placement decision is made by another group of people. In either case, under IDEA, the group that makes the placement decision must include you, as the parent(s), and others who:

- are knowledgeable about your child;
- understand the meaning of your child's evaluation data; and
- know the placement options.[42]

When discussing placement, the group should consider your child's unique needs and determine what the least restrictive placement for your child is, based upon those needs. A placement that is least restrictive for one child may not be least restrictive for another. *What is least restrictive for each child is based on that child's unique needs.* This means that the school system cannot use a "one size fits all" approach to educating children who have a disability. Decisions must be based on *individual needs as stated in the IEP,* not on—

- the child's disabling condition or label (such as placement in a special class for students with mental retardation just because a child has cognitive impairments),

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[39] 34 CFR §300.553—Nonacademic settings.

[40] 34 CFR §300.550—General LRE requirements.

[41] 34 CFR §300.552—Placements.

[42] 34 CFR §300.552(a)(1).

- disability program categories (placement in an particular LD program just because a child needs LD services),
- the location of staff,
- the funds that are available, or
- the convenience of the school district.

In making placement decisions, the group looks to another important part of the IDEA, the *continuum of alternative placements*.[43] The continuum includes the different options where children can receive services. These options include placements such as:

- a general education class,
- a special education class,
- a special education school,
- at home, or
- in a hospital or other public or private [44] institution.

A student's placement in the general education classroom is the *first* option the placement group should consider. Can your child be educated satisfactorily in the general education classroom? What aids, services, and supports does your child need to make this possible? If the group decides that your child's needs can be met in the general education class, with supports, then that placement is the least restrictive environment for your child.

IV. Participating in the IEP Meeting

So, your first IEP meeting is coming up. How do you get ready? Here are some suggestions.

What do I do before the meeting ?

✓ Review the information on your child—from home, school, or private sources (such as doctors, therapists, or tutors). Ask yourself, "Do these records show the full picture?" Fill in any missing pieces, if you can. (If you feel current evaluations are not complete, you may want to ask that the IEP meeting be postponed until more information can be gathered on your child. Ask the school to evaluate your child and reconvene the meeting when the results are available. Bring your records to the meeting. You can also bring examples of your child's work (on paper, audiotape, or videotape) to show specific concerns or insights you may have.

✓ Talk with your child about the upcoming IEP and ask about school. "What things are hard? What things are easy? What do you want to work on this year?" Your child may have a lot to say about his or her needs and interests. Students are often much more aware of their strengths and weaknesses than parents realize. Make notes on what your child says.

✓ Think about your child's involvement in general education classes. Consider his or her learning style, special education needs, and social needs. How can these needs be addressed in the IEP? What kinds of supports or services might your child need in order to be successful in the general education class? Ask your child what he or she wants or doesn't want in the way of support.

✓ If your child will be attending all or part of the IEP meeting, explain how the meeting works in a way that he or she can understand. Let your child know how important the meeting is and that his or her opinions and input are valuable. You may need to prepare your child to speak up at the meeting. Talk with your son or daughter about how to share his or her feelings about what is being proposed.

[43] 34 CFR §300.551—Continuum of alternative placements.

[44] 34 CFR §300.349 and 34 CFR §§300.400 to 300.462—Private school placements by public agencies; and Children in Private Schools, respectively.

✓ Do a Positive Student Profile[45] to share with the team. To do this profile, you answer questions about your child (see box below), which will help you organize your thoughts and focus clearly on your child's strengths, needs, and goals.

✓ Brainstorm with people (teacher, friend, family members, tutor, therapist, consultant) to get some ideas before the meeting. Write down things you feel ***must*** be included in the IEP. Decide how you want to share this information with the other members of the IEP team.

✓ Ask other team members if they can share their ideas about your child's program ahead of time.

✓ Know your rights. Review the IDEA regulations and other helpful publications (see the Resources section at the end of this publication). Take the regulations with you to the meeting in case you need them.

Doing a Positive Student Profile

Answer the following questions about your child as a way to prepare for the IEP meeting.

1. Who is _____? (Describe your child, including such information as place in the family, personality, likes and dislikes.)

2. What are _____'s strengths? (Highlight all areas where your child does well, including school, home, community, and social settings.)

3. What are _____'s successes? (List all successes, no matter how small.)

4. What are _____'s greatest challenges? (List the areas where your child has the greatest difficulties.)

5. What are _____'s needs? (List the skills your child needs to work on and the supports he or she needs.)

6. What are our dreams for _____? (Describe your vision for your child's future, including short-term and long-term goals.)

7. Other helpful information. (List all relevant information, including health care needs, that has not already been described above.)

✓ Are there any areas where you and the school might disagree? Plan how you want to handle these. List any information that might support your position. Think of alternatives to offer if the school is not willing to accept your first suggestion. Decide where you can compromise and where you can't.

✓ Figure out who can go to the IEP meeting with you to help advocate for your child. Inviting someone to attend with you is a good idea, even if this person only takes notes. Another person may think of things during the meeting that you do not. As a courtesy, let the school know if someone will be attending the meeting with you. If an advocate will be attending the meeting with you, review your agenda together before the meeting. Above all, be sure that the advocate understands what role you would like him or her to play in the IEP process.

What do I do during the meeting?

✓ *Stay focused*

Use your notes to keep yourself and the team on track. Keep the focus on *your child's individual needs* and in creating a plan that will lead to success. Remember your child's social and emotional needs, including the need to be with nondisabled peers. Encourage the other members of the IEP team to use simple language, so that anyone reading the IEP can understand and carry it out.

✓ *Ask questions*

If a team member says something you don't understand, ask the person to explain. If someone says something about your child that you don't agree with or have a question about, ask for backup information that supports the person's statement (teacher notes, checklists, evaluations). If you have different information, be sure to share it.

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[45] Adapted from: *Creating Collaborative IEPs: A Handbook* (Rev. ed.). (2001). Richmond, VA: Partnership for People with Disabilities, Virginia Commonwealth University. Web: www.vcu.edu/partnership

Make sure you don't accept or reject a goal for your child based on incomplete information. If a present level statement is appropriate, there should be data to support it. If a goal is appropriate, there should be documentation to back up the need. You want to make sure that decisions are not made based upon a single event or random observations.

✓ ***Be thorough***

Make sure you agree with the language in the present levels of educational performance *before* you finalize goals and objectives. Try not to move away from one area until you are confident that it adequately addresses your child's needs. If you find that needed information is not available at the meeting, have the team make a note of what is missing, who will get the information, and when they will get it by. Then you can agree to move on and come back to discuss the issue when the needed information is received.

What can I do if we don't agree?

If the team cannot agree on a particular item after several minutes of discussion, add it to your list of concerns and suggest coming back to it later. Avoid getting stuck debating a particular point over and over, especially if it feels like you are not getting anywhere. You need to be clear in your mind on where you can and cannot compromise. Communicate this in a reasonable and calm way. Sometimes, the following words can help the team resolve an issue.

"What will it take for us to reach an agreement on this issue?"

"Why don't we just try this for 6 weeks and see how it works?"

"I understand that you can't say yes to this request. Can you tell me who does have the authority? How do we get that person here?"

"We can all agree that this is not an easy issue. But we need to find a solution that will work for (your child) that we can all live with."

"I just don't see this as being appropriate for (your child). There have to be other options we haven't looked at."

One of the most difficult things in an IEP meeting is keeping emotions under control. It is easy at times for anyone at the meeting to get frustrated. Everyone has demands placed on them that are outside of their control. The teacher has concerns about meeting the needs of *all* his or her students, including your child. Therapists may be concerned with how many children they need to work with and how to fit everything that needs to be done into a single school day. The administrator may be worried about having enough staff, supplies, and equipment on a daily basis. And, like any parent, you want what is *best* for your child, even though the law says you are only entitled to what is *most appropriate*. It is a challenge to balance all these needs and demands. The key to reducing frustration and avoiding conflict is to be respectful of each other, even when you don't agree. Keep coming back to the purpose of the meeting— to develop an appropriate IEP for your child.

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What if we still don't agree?

If you've done as much as you can and still cannot come to agreement on the IEP, there are several options open to you.

❑ If this is your child's *first* IEP, you can refuse to give permission.[46] This means that the school may not carry out the IEP. In this case, your child will not receive the special education services outlined in the IEP.

[46] 34 CFR §300.505—Parental consent.

❑ Ask the school to give you *prior written notice*[47] on the issue(s) you disagree upon. Written notice must tell you in detail what the school is proposing or refusing to do, why, and what information was used to reach the decision. (This includes: telling you other options the school considered and why they were rejected; describing each evaluation procedure, test, record, or report used as a basis for the action being proposed or refused; and describing any other factors that are relevant to what the school is proposing or refusing to do.) With this information you may be in a better position to convince the school to rethink its decision or to proceed with the next step below.

❑ You may request *mediation*[48] or a *due process hearing*.[49] With *mediation*, you and the school sit down together and try to work out the disagreement with an impartial third person, called a mediator. The mediator does not work for the school system. The mediator helps you and the school talk about your differences and work toward an agreement. The mediator does not make any decisions for you or the school. The *due process hearing* is a formal, legal procedure. You give the school written notice that you disagree, the reasons why you disagree, and the solution you would like to have. Both you and the school present your views on the matter to an impartial hearing officer. After all the evidence is presented and witnesses have spoken— much like in a court case—the hearing officer decides the case and tells you and the school how the matter is to be settled. He or she gives the decision in writing.

As the IEP meeting comes to a close, you will probably be asked to sign the IEP document. Depending on the state you live in, your signature on the IEP will mean different things.

❑ You can also *file a written complaint*[50] with your state's department of education. When you file a complaint, you must tell the state what part of the IDEA you believe the school has violated. You must also state the facts as you know them and provide copies of any documents or correspondence on the matter that you may have. The state will investigate your complaint, request documents if necessary, and give a written decision.

There is a lot to know about each of these ways of resolving problems with the school. You can learn more by contacting NICHCY or by getting in touch with your state's Parent Training and Information (PTI) center. Call NICHCY for the number of your state's PTI or visit our web site, where you'll find the number in the *State Resource Sheet* for your state.

When the IEP is completely written, am I supposed to sign it?

As the IEP meeting comes to a close, you will probably be asked to sign the IEP document. Depending on the state you live in, your signature on the IEP will mean different things. In some school systems, your signature on an IEP means that you agree with the IEP. In other states, a parent's signature on the form simply means that the parent attended the IEP meeting.

There is no regulation that says you must sign the IEP immediately at the end of the meeting, or at all. If you feel the need to wait before signing the IEP, if you need to "sleep on it" or share it with your spouse/child's tutor/consultant, say so. You may wish to list specific items in the IEP that you want to think about before signing ("I'm still uncomfortable with ____, and I'd like to think about it some more"). This lets the school know where you stand and gives everyone time to think of possible solutions or compromises. Whatever you decide, read

[47] 34 CFR §300.503—Prior written notice by the public agency; content of notice.

[48] 34 CFR §300.506—Mediation.

[49] 34 CFR §300.507 to §300.514—Impartial due process hearing; parent notice to Child's status during proceedings, respectively.

[50] 34 CFR §300.660 - §300.662—State Complaint Procedures.

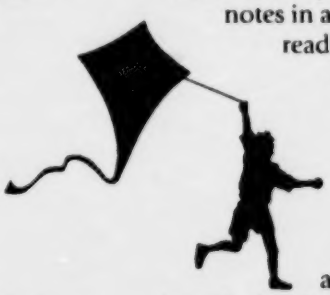
the IEP document in its final version before signing. This is also a good time to review the list of concerns you prepared before the IEP meeting. Did the team talk about all of those items?

When all the talking is done, if you are comfortable with the IEP, go ahead and sign. If you agree with everything except one item, you can sign your agreement and add a statement about the one item you disagree with. The team can implement all of the IEP except that one item, until you do resolve it.

What do I do after the IEP (and before the next one)?

Hurray! You've successfully completed an IEP for your child. Now that you have a well-written IEP, you may want to schedule a follow-up meeting after a month or so, so that you and the rest of the team can talk about how things are going. Watching your child work at school and talking with the staff will help you keep track of your child's progress. Remember, if you ever feel that the IEP needs to be changed, you can request an IEP meeting.

Even when you have done many IEPs, you can still forget things from one IEP to the next. So, after each meeting, jot down any thoughts you have about the IEP and the process. What did you like? What did you not like? What would you do differently next time? What will you do the same? When you are finished, store your notes in a safe place so that you can read them before the next IEP meeting.



Keep in mind that developing an IEP is a learning process. With time it gets easier. Maintain your sense of humor and try to relax. Even though it can be hard, when parents and schools truly work together, the process works and the best results for your child can be realized.

V. Resources

Anderson, W., Chitwood, S., & Hayden, D. (1997). *Negotiating the special education maze: A guide for parents and teachers* (3rd ed.). Bethesda, MD: Woodbine House.

Bateman, B.D., & Linden, M.A. (1998). *Better IEPs: How to develop legally correct and educationally useful programs* (3rd ed.). Longmont, CO: Sopris West.

Council for Exceptional Children. (1999). *The IEP team guide*. Arlington, VA: Author.

Cutler, B. C. (1995). *You, your child, and "special" education: A guide to making the system work*. Baltimore, MD: Paul H. Brookes.

DeFur, S. (1999). Transition planning : A team effort. *NICHCY Transition Summary*, No. 10, 1-24. (Available on-line at: www.nichcy.org.)

DeFur, S. (2000, November). *Designing individualized education program (IEP) transition plans* (ERIC Digest #E598). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/digests/e598.html)

Douvanis, G., & Hulsey, D. (2002). *The least restrictive environment mandate: How has it been defined by the courts?* (ERIC Digest #E629). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/digests/e629.html)

Drasgow, E., Yell, M.L., & Robinson, T.R. (2001, November/December). Developing legally correct and educationally appropriate IEPs. *Remedial and Special Education, 22*(6), 359-373.

Families and Advocates Partnership for Education (FAPE). (2001). *Planning your child's individualized education program (IEP): Some suggestions to consider*. Minneapolis, MN: Author. (Available on-line at: www.fape.org.)

Giangreco, M.F. (2001, December). *Guidelines for making decisions about IEP services*. Montpelier, VT: Vermont Department of Education. (Available on-line at: http://www.uvm.edu/~uapvt/iepservices/pdfs/decision.pdf)

Giangreco, M.F., Cloninger, C.J., & Iverson, V.S. (1998). *Choosing outcomes and accommodations for children (COACH): A guide to educational planning for students with disabilities* (2nd ed.). Baltimore, MD: Paul H. Brookes.

Gibb, G.S., & Dyches, T.T. (2000). *Guide to writing quality individualized education programs: What's best for students with disabilities?* Needham Heights, MA: Allyn & Bacon.

Küpper, L. (Ed.). (1999). *Individualized education programs* (4th ed.). Washington, DC: NICHCY. (Available on-line at: www.nichcy.org.)

Mager, R.F. (1997). *Preparing instructional objectives: A critical tool in the development of effective instruction*. Atlanta, GA: The Center for Effective Performance. (Available from amazon.com.)

McGahee-Kovac, M. (2002). *A student's guide to the IEP* (2nd ed.). Washington, DC: NICHCY. (Available on-line at: www.nichcy.org.)

Office of Special Education and Rehabilitative Services (OSERS), U.S. Department of Education (2000). *A guide to the individualized education program*. Washington, DC: Author. (Available on-line at: www.ed.gov/offices/OSERS/OSEP/Products/IEP_Guide/)

Siegel, L.M. (2001). *The complete IEP guide: How to advocate for your special ed child* (2nd ed.). Berkeley, CA: Nolo Press.

Smith, S.W. (2000). *Creating useful individualized education programs* (ERIC Digest #E600). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/digests/e600.html)

Smith, S.W. (2001). *Involving parents in the IEP process* (ERIC Digest #E611). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/digests/e611.html)

Sorenson, B. (Compiler). (2001). *Resources on individualized education programs (IEPs)* (ERIC EC Minibib EB27). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/minibibs/eb27.html)

Trevor, G.H. (Producer). (1996). *The 3 R's for special education: Rights, resources, results. A guide for parents, a tool for educators* [video]. Baltimore, MD: Paul H. Brookes.

Warger, C. (1999). *New IDEA '97 requirements: Factors to consider in developing an IEP* (ERIC Digest #E578). Arlington, VA: ERIC Clearinghouse on Disabilities and Gifted Education. (Available on-line at: http://ericec.org/digests/e578.html)

West, L.L., Corbey, S., Boyer-Stephens, A., Jones, B., Miller, R.J., & Sarkees-Wircenski, M. (1999). *Integrating transition planning into the IEP process* (2nd ed.). Arlington, VA: Council for Exceptional Children.

Wright, P.W.D., & Wright, P.D. (1999). *Your child's IEP: Practical and legal guidance for parents.* Deltaville, VA: Authors. (Available on-line at: www.ldonline.org/ld_indepth/iep/iep_guidance.html. Also consult: www.wrightslaw.com)

Getting a Copy of IDEA's Regulations

The IDEA regulations are in the *Code of Federal Regulations*, or CFR. They were published March 12, 1999 and are referenced as 34 CFR, Part 300.

On the Web, you can download a copy of the federal regulations.

www.ed.gov/offices/OSERS/IDEA/regs.html

www.ideapractices.org

To get a copy by mail:

Contact EDPUBS at: 1.877.433.7827 (voice), 1.877.576.7734 (TTY/TTD), or order online at www.ed.gov/pubs/edpubs.html.

Call or write the Government Printing Office at (202) 512-1800, Government Printing Office, Superintendent of Documents, PO Box 37195-7954, Pittsburgh, PA 15250.

VI. Publishers

Allyn & Bacon, 75 Arlington Street, Suite 300, Boston, MA 02116. Telephone: 1-800-666-9433. Web: www.ablongman.com.

Council for Exceptional Children (CEC), 1110 N. Glebe Road, Suite 300, Arlington, VA 22201-5704. Telephone: 1-888-232-7733. E-mail: service@cec.sped.org. Web: www.cec.sped.org.

Nolo Press, 950 Parker Street, Berkeley CA 94710-2524. Telephone: 1-800-728-3555. E-mail: cs@nolo.com. Web: www.nolo.com.

Paul H. Brookes Publishing, P.O. Box 10624, Baltimore, MD 21285-0624. Telephone: 1-800-638-3775. Web: www.brookespublishing.com.

Sopris West, 4093 Specialty Place, Longmont, CO 80504. Telephone: (303) 651-2829. E-mail: customerservice@sopriswest.com. Web: www.sopriswest.com.

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IDEAs that Work
U.S. Office of Special Education Programs

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